

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

|   |   |          |
|---|---|----------|
| APPLICATION OF GTE MOBILNET INCORPORATED    | ) |          |
| FOR ISSUANCE OF A CERTIFICATE OF PUBLIC     | ) |          |
| CONVENIENCE AND NECESSITY TO CONSTRUCT A    | ) |          |
| PERSONAL COMMUNICATIONS SERVICE FACILITY IN | ) |          |
| THE CINCINNATI-DAYTON MAJOR TRADING AREA    | ) | CASE NO. |
| ("MTA") WHICH INCLUDES BOONE, KENTON,       | ) | 97-126   |
| CAMPBELL, GALLATIN, GRANT, PENDLETON,       | ) |          |
| BRACKEN, MASON, LEWIS, GREENUP, CARTER,     | ) |          |
| BOYD, ELLIOTT, LAWRENCE, JOHNSON, MARTIN,   | ) |          |
| FLOYD AND PIKE COUNTIES, KENTUCKY ("CVG 43/ | ) |          |
| CARPENTER FACILITY")                        | ) |          |

O R D E R

The Commission has received the attached letters from George A. Laker, Raymond J. Richardson, Erin Richardson, Omer Meyers, Shirley Morrison, and Linda Wamsley (hereinafter referred to collectively as "Petitioners") regarding the proposed personal communication services facility to be located off Winters Lane near Cold Spring, Campbell County, Kentucky.

IT IS THEREFORE ORDERED that:

1. GTE Mobilnet Incorporated ("GTE Mobilnet") shall respond to Petitioners' concerns by certified letter, within 10 days from the date of this Order.
2. GTE Mobilnet shall file a copy of the certified letter and dated receipt, within 7 days of the date on the receipt.

Done at Frankfort, Kentucky, this 17th day of April, 1997.

ATTEST:

PUBLIC SERVICE COMMISSION

  
\_\_\_\_\_  
Executive Director

  
\_\_\_\_\_  
For the Commission

BD

RECEIVED

APR 10 1997

PUBLIC SERVICE  
COMMISSION

April 5, 1997

Executive Director's Office  
Public Service Commission Of Kentucky  
Post Office Box 615  
Frankfort, Ky 40602

Re : Public Notice- Public Service Commission of Kentucky,  
(CVG 43/Carpenter Facility) Case No. 97-126

The following are reasons why we did not wish to have the Cellular Tower located at this site.

1. Health hazard: It has not been proven that it does not cause health problems.

2. Children being within the Radius : We have small grandchildren that play in the yard which is within the 500 radius of the tower.

3. The decrease in value of our property: We have 4 lots that are affected by this tower.

4. Damage to the road : The road at this point is dangerous and tore up enough without bring construction down here.

5. Purchase of cattle and horses : I have been told that cattle can not be within 500 Radius of the tower.

Please take my sincere concerns into consideration before you decide to build this Cellular Tower.

Sincerely,

George A Laker

494 WINTERS DAVE  
Cold Spring Ky 41076

488 Winters Lane  
Cold Spring, Kentucky 41076  
March 20, 1997

Executive Director's Office  
Public Service Commission of Kentucky  
Post Office Box 615  
Frankfort, Kentucky 40602

Case Number 97-126

Gentlemen:

RECEIVED  
MAR 31 1997  
PUBLIC SERVICE  
COMMISSION

In regard to the proposed cellular tower by GTE on Winters Lane, I am writing to express my concerns over this facility. One of my first concerns is the devaluing of the properties surrounding the site. This is a very narrow country lane, and difficult to paint the center line correctly, and more traffic will only cause more problems. The roadway has been slipping and extra traffic will add to it. There is also the problem of the slipping of the hill itself where the proposed access road to the tower is being built. Also since this is a hill situation my concerns regarding excess drainage onto my property which will be directly beside the access road and below the tower site itself worries me, as we are already experiencing drainage problems since the under brush is being cleared away in this location. We are also concerned about lightening strikes around the tower as it is a wooded area. This section of Winters Lane has no city water and residents depend upon cistern water. Good though it may be, we are serviced by a volunteer fire department. Should a hillside fire break out in a hot dry season it would be very hard, if not impossible, to protect my property. I also think in the country setting adding the hill into the mix would only serve to attract people on dirt and off road vehicles over which we would have no control. I also have health questions which no agency seems to want to address.

I have been told by my attorney that any damage from this facility GTE and Mr. Carpenter will both be liable for since the land is leased, but this gives little comfort since it has been my home for twenty-eight years and I do not want to leave. We also question the stability of the towers in wind and ice storms.

As I understand it, there are options to placing towers such as the use of bridges and even existing utility poles, so I do not understand why these towers must be built on residential property where the residents do not want them. Other states are using these methods to provide space on public and commercial sites, which brings the revenue to the state and local governments, which Kentucky certainly needs.

I of course realize this commission has no control over this law, but it is a bad law and must be changed. You do, however, have the option and obligation to take each proposed site into consideration and protect our neighborhoods and families in Kentucky until the law can be changed. Your help is greatly needed and will be ever so appreciated.

Sincerely,

*Raymond J. Richardson*

Raymond J. Richardson  
488 Winters Lane  
Cold Spring, Kentucky  
(606) 441-4236

Enclosure

cc: Campbell County Fiscal Court

March 1997

# Anti-Cellular Tower on Residential Property

The people of Campbell County, hereby petition the fiscal courts, the planning and zoning commission, and many other boards, committees, governmental officials and agencies, that we are in objection and strongly oppose the construction of cellular towers on residential property in residential zones.

| Name                | Address                     | Date    |
|---------------------|-----------------------------|---------|
| Kay Richards        | 488 Winters Ln              | 3/20/97 |
| George D. Laker     | 494 WINTERS Ln              | 3/20/97 |
| Jim Richards        | 488 Winters Ln              | 3/20/97 |
| Wes Bruden          | 488 Winters Ln              | 3/20/97 |
| Robert W. Smith     | 501 Winters Ln              | 3/20/97 |
| Donald W. Smith     | 505 Winters Ln              | 3/20/97 |
| Shirley Tronison    | 487 Winters Ln              | 3/23/97 |
| Leads Wampler       | 487 Winters Ln              | 3-23-97 |
| Ed. Cady            | 493 WINTERS Ln              | 3-23-97 |
| Patrick Richardson  | 215 Berry Ave. Bellevue Ky  | 3-24-97 |
| Gary Beecraft       | 121 Holt Dr. Cold Spring Ky | 3-23-97 |
| Betty Beecraft      | 121 Holt Dr. Cold Spring Ky | 3-23-97 |
| John Fasse          | 200 GARY LANE Cold Spring   | 3-23-97 |
| Don Bruckner        | 202 GARY LANE Cold Spring   | 3-23-97 |
| Joe Kennedy         | 9 Mayfield Ave. Paducah     | 3-23-97 |
| Helli Smith         | 202 Gary La Cold Spring     | 3-23-97 |
| Lynn Donner         | 3580 Jackson Ave. Paducah   | 3-23-97 |
| Kabrita Smith       | 206 Gary Ln. C.S. Ky        | 3-23-97 |
| Roberta Porter      | 44 Wright Ct. Paducah Ky    | 3-23-97 |
| Lawrence E. Jreaser | 208 GARY LANE C.S. Ky       | 3/23/97 |
| Ruth A. Bresser     | 208 Gary Lane               | 3-23-97 |
| W. L. W. Smith      | 211 W. Gary Ln. C.S.        | 3-23-97 |
| Dorine Smith        | 60 Madonna Ln               | 3-23-97 |
| Gill P. Smith       | 60 Madonna Ln               | 3-23-97 |

March 1997

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| Name               | Address                | Date    |
|--------------------|------------------------|---------|
| Omer Meyer         | 524 Winter Lane        | 3/20/97 |
| Martha Phillips    | 573 Winter Lane        | 3/20/97 |
| C.W. Walm          | 555 WINTER LN          | 3/20/97 |
| Hoyes L. Conley Jr | 553 Winter Lane        | 3/20/97 |
| Ray D. Dunning Jr  | 565 Winter Lane        | 3/20/97 |
| Phil L. Johnson    | 269 Winter Lane        | 3/20/97 |
| Dore Dislman       | 569 Winter Lane        | 3/20/97 |
| Kathryn Johnson    | 568 Winter Lane        | 3/20/97 |
| Sharon S. S. S.    | 576 Winter Lane        | 3/20/97 |
| Robert B.          | 611 W. 8               | 3/20/97 |
| W. L. L. L.        | 530 Winter Lane        | 3/20/97 |
| Webb Nelson        | 544 Winter Lane        | 3/20/97 |
| Bill D. D.         | 531 Winter Lane        | 3/20/97 |
| Jarvis J.          | 531 Winter Lane        | 3/20/97 |
| John J.            | 578 WINTERS            | 3/20/97 |
| Mary Laker         | 494 Winter Ln          | 3/20/97 |
| Jimmie Griffith    | 479 Winter Ln          | 3/20/97 |
| Boyle L.           | 471 Winter Lane        | 3/20/97 |
| John H.            | 548 WINTER             | 3-20-97 |
| Ernest H.          | 559 Winter Lane        | 3-20-97 |
| John L.            | 517 WINTER LN          | 3-20-97 |
| Amy Blosser        | 530A WINTERS LN        | 3-20-97 |
| Lorrie Blosser     | 530A WINTERS LN        | 3-20-97 |
| Julie D.           | 566 Winters Ln Gold Sp | 3-20-97 |

# ANTI-CELLULAR TOWER ON RESIDENTIAL PROPERTY CONTINUED

| Name              | Address                 | Date    |
|-------------------|-------------------------|---------|
| J and David       | 566 Venturian           | 3/20/97 |
| Diana McKenna II  | 465 WINTERGLANE         | 3/21/97 |
| Brenda J. Stewart | 465 Winters Lane        | 3-21-97 |
| Michael Krog      | 455 Winters Lane        | 3/21/97 |
| Peter Schurstein  | 433 Winters Lane        | 3/21/97 |
| Helen Schurstein  | 433 Winters Lane        | 3/21/97 |
| Harvey Krog       | 439 Winters Lane        | 3/21/97 |
| Delores Krog      | 439 Winters Lane        | 3/21/97 |
| Patricia A. Wolfe | 431 Winters Lane        | 3/21/97 |
| Charles J. Hoff   | 436 Winters Lane        | 3-21-97 |
| Bob Hoff          | 11 Holt Dr              | 3-21-97 |
| Charles Plummer   | 5 Holtz Dr Cold Spring  | 3-21-97 |
| Polly Lucas       | 12 Holtz Dr             | 3-21-97 |
| Mark Lucas        | 12 Holtz Dr             | 3-21-97 |
| John and          | 18 Holtz Dr Cold Spring | 3-21-97 |
| Jeffrey Zeff      | 17 Holtz Dr             | 3-21-97 |
| Joe Hoff          | 30 Holtz Dr             | 3-21-97 |
| John J. Hoff      | 105 Holtz Dr            | 3/21/97 |
| Darwin Becker     | 119 Holtz Dr            | 3/21/97 |
| Glenn Cole        | 125 Holtz Dr            | 3-21/97 |
| MIKE ENZWEILER    | 129 Holtz Dr            | 3-21-97 |
| HELEN ENZWEILER   | 129 Holtz Dr            | 3-21-97 |
| Dorel Penner      | 123 Holtz Dr            | 3-21-97 |
| Judy Emmerich     | 420 Winters Lane        | 3-21-97 |
| Robert Pl         | 1756 Winters Dr         | 3-21-97 |
| Rechel Hoff       | 14 Holtz Dr Cold Sp     | 3-21-97 |
| Cathy Cropper     | 215 Mary Lou Lane       | 3-23-97 |

March 1997

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| Name                | Address           | Date    |
|---------------------|-------------------|---------|
| Pat Wallace         | 117 Holly St.     | 3-22-97 |
| Donna Mighia        | 4 Raymond Ave     | 3/22/97 |
| Bob Mighia          | " "               | 3/22/97 |
| Nancy Barbican      | 9 Raymond Ave.    | 3/22/97 |
| Pat Kels            | 7 Raymond Ave     | 3/22/97 |
| Proper Work         | 5 Raymond Ave     | 3/22/97 |
| J. Thornton         | 213 DAVERICK      | 3/22/97 |
| A. Munnery          | 214 DAVERICK      | 3-22-97 |
| J. Schwen           | 211 DAVERICK CT   | 3-22-97 |
| Tim West            | 212 DAVERICK CT.  | 3-22-97 |
| Art Holly           | 207 DAVERICK CT.  | 3-22-97 |
| Shirley Hars        | 205 DAVERICK CT   | 3-22-97 |
| Ann Mighia          | 205 DAVERICK CT.  | 3-22-97 |
| June Lother         | 208 DAVERICK CT   | 3-22-97 |
| Janice Wallace      | 22 Orchard Terr.  | 3-22-97 |
| Theresa M.          | 24 ORCHARD TERR.  | 3-22-97 |
| Daniel Green        | 211 ORCHARD TERR. | 3-22-97 |
| Mary Ann Holt       | 26 Orchard Terr.  | 3-22-97 |
| Art Holt            | " "               | 3-22-97 |
| Katie Murphy        | 4 La-Lisa Ct      | 3-22-97 |
| Chuck Faust         | 6 La-Lisa Ct      | 3-22-97 |
| C. L. L. Faust      | 6 LA-LISA CT      | 3-22-97 |
| Alvin Rhee          | 1021 Orchard Terr | 3/22/97 |
| Becky Sandersmiller | 107 Orchard Terr  | 3/22/97 |



March 1997

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| Name                | Address                                | Date      |
|---------------------|--|-----------|
| William L. Smith    | 189 Holtz Dr.                          | 3/22/97   |
| Judy Smith          | 124 Holtz Dr.                          | 3/22/97   |
| Garold Smith        | 26 Holtz Dr.                           | 3/22/97   |
| David Smith         | 126 Holtz Dr.                          | 3/22/97   |
| William Wally       | 137 Holtz Dr.                          | 3/22/97   |
| John B. Smith       | 210 Darnick Ct. C.S.                   | 3/22/97   |
| Anna M. Smith       | 210 Darnick Ct. <sup>Cold Spring</sup> | 3-22-97   |
| Don Wallis          | 203 Darnick <sup>Cold Spring</sup>     | 3-22-97   |
| Marcia Wells        | 203 Darnick Cold Spring                | 3-22-97   |
| Edward Fritzel      | 201 Darnick " "                        | 3-22-97   |
| Walter H. Koch      | 202 Darnick C.S.                       | 3/22/97   |
| Charles Smith       | 201 Darnick                            | 3/22/97   |
| Barry Frithsen      | 124 Darnick Terr.                      | 3/22/97   |
| Frank Flamm         | 27 Darnick Terr.                       | 3/22/97   |
| Shirley & Don Thant | 101 Darnick Terr.                      | 3/22/97   |
| Thomson R. Rykema   | 14415th St.                            | 3-22-97   |
| Glenn L. Carpenter  | 3 Darnick <sup>Cold Spring</sup>       | 3-22-97   |
| Dale H. H. H. H.    | 1021 Darnick <sup>Cold Spring</sup>    | 7-1-45-39 |
| Frank W. Stratton   | 112 Darnick Terr.                      | 441-9021  |
| Donner R. H. H.     | 111 Darnick Terr.                      | 441-7125  |
| She H. H. H.        | 111 Darnick Terr.                      | 441-7508  |
| Tom C. C.           | 111 Darnick                            | 441-4351  |
| Marcel H. H.        | 204 Darnick C.S.                       | 441-0408  |
| Charles C. Frithsen | 124 Darnick Terr.                      | 781-3279  |

Anti-Cellular Tower on Residential Property continued

| Name             | Address          | Date                |
|------------------|------------------|---------------------|
| John Prather     | 124 Orchard Terr | 781-3279            |
| William McCoy    | 126 Orchard Terr | 441-5845            |
| Bob B. H. H.     | 130 Orchard Terr | 441-5845            |
| 137 H. H. H.     | 132 Orchard Terr | 441-0918            |
| 138 H. H. H.     | 132 Orchard Terr | 441-0918            |
| James A. Cobb    | 23 Orchard Terr  | 441-1111            |
| Joe Schulte      | 15 Orchard       |                     |
| Elsie Baberman   | 9 Orchard Terr   | 441-7526            |
| Mary Robinson    | 7 Orchard Terr   | 781-8359            |
| Bob H. H.        | 5 Orchard Terr   | 441-5274            |
| Margie R. Law    | 5 Orchard Terr   | 441-5274            |
| Michael Kennedy  | 304 Winter Lane  | 781-5979-3-22-97    |
| Billie Jean Toms | 302 Winter Lane  | 3/22/97             |
| Cathy Schenk     | 305 Winters Ln   | 3/22/97             |
| Frederick Kae    | 317 Winters Ln   | Cold Spring 3-22-97 |
| Don Gastright    | 201 Gary Lane    | 3/23/97             |
| Kirk H. H.       | 203 Gary Lane    | 3-23-97             |
| Tim H. H.        | 209 Gary Lane    | 3-23-97             |
| Debra Telson     | 209 Gary Lane    | 3-23-97             |
| Tom Clark        | 223 Gary Ln      | 3-23-97             |
| Tom F. H.        | 223 Gary Ln      | 3-23-97             |
| John H. H.       | 61 Madonna Ln    | 3-23-97             |
| Don H. H.        | 61 Madonna Ln    | 3-23-97             |
| Donald A. H. H.  | 61 Madonna Ln    | 3-23-97             |
| Bob H. H.        | 11 Rosa Pl       | 3-23-97             |
| Jean H. H.       | 11 Rosa Pl       | 3-23-97             |

Anti-Cellular Tower on Residential Property continued

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97-126

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MAR 24 1997  
DIVISION OF UTILITY  
ENGINEERING & SERVICES

RECEIVED

MAR 24 1997

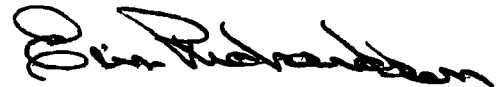
PUBLIC SERVICE  
COMMISSION

488 Winters Lane  
Cold Spring, Kentucky  
March 3, 1997

Public Service Commission  
730 Shankley Lane  
Frankfort, Kentucky 40602

I am very concerned about the construction of cellular antenna towers in my residential area. As this seems to be a problem facing the entire state I could like to see a comprehensive study done to decide best where to place these utilities to bring income into the state and at the same time protect our residential neighborhoods.

Sincerely,



Erin Richardson

BD

CASE NUMBER 97-126

Omer Meyers

524 Winters Lane

Cold Spring, Kentucky 41076

RECEIVED

MAR 27 1997

PUBLIC SERVICE  
COMMISSION

Executive Director's Office  
Public Service Commission of Kentucky  
Post Office Box 615  
Frankfort, Kentucky 40602

Gentlemen:

It has been brought to my attention that GTE has leased the property at 480 Winters Lane from Mr. Woodrow Carpenter to erect a PCS tower. This is not acceptable to my neighbors or myself. You must take into account the character of the area and the effect that this installation will have on our land and values. Please, do not allow this facility to continue to develop their cell site on this property. It is a peaceful and rare plot of land that is untouched and tucked in between city limits. Second and third generations of families are living in this area.


Winters Lane is a very narrow, winding road. The heavy equipment trucks will cause a disaster digging and hauling out dirt. This narrow road will be covered with mud when the Spring rains come. This access road leading to the tower is asking for trouble. There will be flooding and it will take more of our tax dollars to preserve Winters Lane. Ask GTE to consider using extenders on telephone poles or mount the extenders on our bridges that run parallel to Cincinnati and Campbell County off Winters Lane. Instead of costing the state extra money to maintain Winters Lane because of this excavation at site 480, Kentucky could bring in revenue by placing these towers on highways like the state of Ohio is doing.

Years ago, the government put restrictions on erecting billboards because they were considered eyesores. I would much rather look at a tasteful billboard any day, instead of a 150 foot, metal, pyramid tower with flashing lights at night. This area is not commercially zoned. We are county and want to stay this way. I assume that the lights will be flashing to keep the airplanes from crashing into the tower. It will be an extended runway for airplanes in the sky.

Are you aware that this area does not have city water? We depend on our cisterns as the only source of water. There is no way that our volunteer Fire Department could even confine a fire if it was started on that hill by lightning striking GTE's tower. Again, only innocent people will be affected and possibly lose everything that they have worked so hard for.

I understand that the commission has no control over HOUSE BILL 20, but you can evaluate each proposed site and make an exception for Winters Lane. As of today, March 23<sup>rd</sup>, our small community has accumulated 130 plus signatures opposing the erection of this tower in our area. I am asking you to stop the erection of this tower in our rural area where we do not have access to city water. Please, stop this disaster before it happens.

Sincerely,



Omer Meyers

Shirley Morrison/Linda Wamsley  
487 Winters Lane  
Cold Spring, Kentucky 41076  
(606) 441-5600

March 23, 1997

Executive Director's Office  
Public Service Commission of Kentucky  
Post Office Box 615  
Frankfort, Kentucky 40602

RECEIVED

MAR 28 1997

Subject: Case Number 97-126 (Cellular Tower by GTE on Winters Lane) **PUBLIC SERVICE  
COMMISSION**

Gentlemen:

First of all, let us say that we are not the type of people to stand in the way of progress. But, at what cost to the residents on Winter's Lane are you asking us to ignore the erection of GTE's PCS towers? GTE should take into account where they are erecting their towers. Our family wants GTE to find an alternate site or consider using the local bridges or telephone poles to install their antennas, or line the interstate highways with their towers and the states can collect extra revenue.

- These towers are spoiling the rural landscape. This structure will lower our property value. Soon when our friends and family come to visit, they will sit in the swing on our lovely gazebo, instead of looking at the beautiful hillside they will view GTE's PCS tower. At what price do we need to see this kind of progress?
- We do not have access to city water lines and our local Fire Department consists of volunteers. Every family in the immediate area of this tower is at risk if this tower is struck by lightning. What if the airplanes from Lunken Airport collide into this structure? How will the local Fire Department be able to save our lives and property?
- GTE's access road will only cause more flooding on Winter's Lane. This road has constant maintenance due to slippage. The residents do not need any more traffic from utility vehicles or water drainage to increase our problems. More traffic and run-off water will only cause our bridges and rock walls to slide. Who will be held responsible for this property damage?
- We have heard that once a tower is erected in your immediate area, that your television and phone reception, is very poor. Who is going to pay for private satellite dishes to compensate for the poor reception problem?
- Since there are no know written statistics on health issues, who will our survivors contact in twenty years? I am undergoing medical tests right now. Will this tower increase my chances for cancer, heart disease, lung disease, liver disease or bone disorders, etc? Do you have medical statistics contrary to these beliefs?

The law is in place, but we are asking you to research and find an alternative solution for GTE to provide our community with their cellular service. Please, do not destroy what our families and friends have spent their entire lives to improve and develop.

Sincerely,

*Shirley Morrison*  
*Linda Wamsley*

Shirley Morrison  
Linda Wamsley